

DRAFT NEGATIVE DECLARATION
for
Universal Waste Rule (Regulations)
DTSC Control Number R-97-08

Project Proponent:

The regulations are proposed for adoption by the proponent, the California Department of Toxic Substances Control (DTSC).

Contact: Michael S. Horner
(916) 322-7889
mshorner@dtsc.ca.gov

Project Description:

The project is the adoption of new permanent regulations entitled the "Universal Waste Rule," identified by DTSC Control Number R-97-08. The regulations are proposed for adoption by the California Department of Toxic Substances Control (DTSC), a Department within the California Environmental Protection Agency (Cal/EPA). The regulations are based on the parallel regulations adopted by the United States Environmental Protection Agency (U.S. EPA) in several Federal Register Notices beginning in 1995. These regulations are similar to and would replace the emergency Universal Waste Rule currently in effect in the State.

The Universal Waste Rule adopts special management standards for certain hazardous wastes to be known as "universal wastes." Universal wastes include hazardous waste batteries (other than automotive type spent lead acid storage batteries), hazardous waste lamps including fluorescent tubes, most "streetlight" type lamps, and mercury-containing thermostats. The special management standards establish much less complex and expensive management requirements during accumulation and transportation for universal wastes, in order to foster proper recycling or disposal of these universally generated wastes. Virtually all universal wastes were improperly disposed in non-hazardous waste landfills prior to the current emergency Universal Waste Rule.

Universal waste standards allow longer accumulation times without a generator ID number, shipment without a registered hauler or hazardous waste manifest, offsite accumulation without a hazardous waste facility permit, and other special standards. A "destination facility," however, must possess a hazardous waste facility permit for any recycling or disposal of universal wastes.

To facilitate a stepwise implementation of the Universal Waste Rule, the household and small quantity exemptions found in the existing emergency Universal Waste Rule would remain available in the proposed Universal Waste Rule. These exemptions would allow

continued non-hazardous disposal of universal wastes, but would sunset (become ineffective) after four years. The stepwise implementation is proposed to allow household hazardous waste collection facilities to complete preparations for collecting and accepting universal wastes and to allow takeback programs and other private sector disposal programs to begin operation in California.

Project Location: Statewide. This project is the adoption of regulations that will be uniformly effective in the entire State.

Findings of Significant Effect on Environment:

DTSC has determined that this project, as proposed, will not have a significant effect on the environment as that term is defined in Public Resources Code Section 21068. A copy of the Initial Study that supports this finding is attached..

Mitigation Measures:

No mitigation measures have been identified.

Signature_____ Date_____

Project Manager

Signature_____ Date_____

Branch Chief